IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 9TH OCTOBER 2006 / 17TH ASWINA 1928

Bail Appl..No. 5649 of 2006

CRMP.4575/2006 of J.M.F.C.,CHITTUR
CRIME NO.235/2006 OF PUDUNAGARAM POLICE STATION

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APPLICANTS/ACCUSED

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1. MUHAMMED KASIM,
S/O.BAVA, KIZHAKKEKARA VEEDU,
PALAPPURAM, OTTAPALAM.

2. RAJEESH, S/O.RAMAKRISHNAN,
IRULAMKATTIL VEEDU,
AKALUR, LAKKIDI, OTTAPALAM.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING THE SUB INSPECTOR OF POLICE,
PUDUNAGARAM POLICE STATION.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5649/2006

DATED THIS THE 9TH DAY OF OCTOBER, 2006

O R D E R

The petitioners are accused in crime No.235/2006 of Pudunagaram Police Station, for the offence punishable under Section 392 IPC read with Section 34 IPC. They had snatched away Rs.50,000/-, from the possession of the defacto complainant, on 7.8.2006 at about 10.45 a.m. They came in a motorbike and knocked down the defacto complainant for the purpose of snatching the money from the possession of the complainant. The petitioners were arrested on the same day. Hence this application, under Section 439 Cr.P.C.

2. The first application for bail, B.A.No.5409/2006, was dismissed on 1.9.2006. The petitioners remain in judicial custody.

3. I had directed the learned Public Prosecutor to verify whether there are any other cases registered

against these petitioners, at the time of the hearing of the application for bail, which came up at the first instance. Public Prosecutor now, upon instructions, submits that the petitioners are not involved in any other criminal cases, and the investigation is complete.

4. In the above facts situation, and considering the duration of the judicial detention and the completion of the investigation, I grant bail and release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.50,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Chittur.

(b). The petitioners shall report before the Investigating Officer, once in a week on every Friday, between 10.00 a.m and 11.00 a.m., for a period of six months, starting from 13.10.2006, and thereafter, on the first working day of every month, till the final trial and disposal of the case.

(c). The petitioners shall not leave the State of Kerala, untill the completion of the trial and the final disposal of the case.

(e). The petitioners shall not attempt to influence the witnesses or threaten them and shall not tamper with the evidence collected or cause any hindrance to the smooth conduct of the prosecution case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs